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COMMENTS:

Re: Application No: 09/779,798

Document(s) following:

- Request for Permission to Withdraw as Attorneys of Record, 2 pp.

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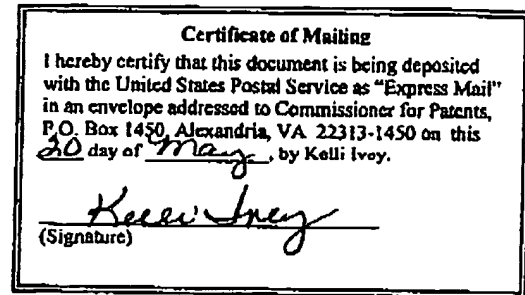
GARDERE WYNNE SEWELL LLP

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MAY 20 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 09/779,798
First Named Inventor : Don Spyker
Filing Date: : February 8, 2001
Group Art Unit : 3626
Examiner : Gottschalk, Martin A.
Confirmation No. : 6749
For: : Network Based Fitness System



Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR PERMISSION TO WITHDRAW AS ATTORNEYS OF RECORD

In accordance with 37 C.F.R. §1.36(b), the undersigned attorney on behalf of all counsel of record and Gardere Wynne Sewell LLP apply to withdraw as attorneys of record in the above-identified matter. Notice of intention to withdraw as attorneys herein was given to Mark J. Geiger, C.E.O. and President, BFA Network, Inc., by letter dated March 11, 2005.

The last known mailing address of the client is BFA Network, Inc., 4835 O'Connor Blvd., Suite 120, Irving, Texas 75062.

The basis for the request for withdrawal is BFA Network, Inc. satisfies the requirements of 37 C.F.R. § 10.40 (c)(1)(vi). 37 C.F.R. § 10.40(c)(1)(vi) permits withdrawal if the petitioner's client:

"Has failed to pay one or more bills rendered by the practitioner for an unreasonable period of time or has failed to honor an agreement to pay a retainer in advance of the performance of legal services."

It is believed that the client has been given reasonable notice of the intention to withdraw as attorneys, and it is respectfully requested that this request be granted.

Respectfully submitted,

GARDERE WYNNE SEWELL LLP

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